



ENTERED  
05/20/2014

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE: §  
TONY GERARD CUTAIA, MARY ANN § CASE NO: 05-30745  
CUTAIA §  
Debtor(s) §  
§ CHAPTER 7

ORDER SETTING HEARING AND  
DOCKET CONTROL ORDER REGARDING CONTINUANCES

Setting

A hearing will be conducted at **10:30 a.m. on June 18, 2014**, in Courtroom 404, 4th Floor, 515 Rusk Avenue, Houston, Texas, to consider Resurgent Capital Services' Motion to Pay Unclaimed Funds (Doc. #122). The Court will consider evidence and arguments, as appropriate. Within two business days of receipt of this notice, the movant shall serve a copy of this notice on all parties entitled to notice of the hearing and file a certificate of service with the Court.

CONTINUANCES

The Court has set the hearing with a sufficient time to allow discovery regarding disputed factual matters. If additional time for discovery is required, then a continuance must be sought within 5 days of entry of this order. If the parties are in agreement, they should contact the Court's case manager within the first 5 days to reschedule the hearing. If the parties are not in agreement, then a motion for continuance must be filed.

If a continuance is not sought within the first 5 days after entry of this order, then parties requesting a continuance will be required to file a motion and demonstrate exigent circumstances that justify a continuance. **Continuances will not be freely granted. If a continuance has not been granted, then parties must appear at the scheduled hearing with evidence. Continuances will not be granted on oral motions made at the scheduled hearing.**

SIGNED May 20, 2014.

  
Marvin Isgur  
UNITED STATES BANKRUPTCY JUDGE

United States Bankruptcy Court  
Southern District of TexasIn re:  
Tony Gerard Cutaia  
Mary Ann Cutaia  
DebtorsCase No. 05-30745-mi  
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0541-4

User: adol  
Form ID: pdf002Page 1 of 2  
Total Noticed: 15

Date Rcvd: May 20, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 22, 2014.

db/jdb +Tony Gerard Cutaia, Mary Ann Cutaia, 13851 Kidd Rd, Conroe, TX 77302-7658  
 aty Lara A Armstrong, McCalla Rayner et al, 1544 Old Alabama Rd, Roswell, GA 30076-2102  
 aty +Porter Hedges, LLP, 1000 Main Street, 36th Floor, Houston, TX 77002-6341  
 aty +Waldron & Schneider, LLP, 15150 Middlebrook Drive, Houston, TX 77058-1227  
 cr +Chase Home Finance LLC, c/o BBWCDF, 1900 Saint James Place, Suite 500,  
 Houston, Tx 77056-4125  
 intp +Citigroup Global Markets, Inc., c/o Santo Trombetta, 388 Greenwich Street,  
 New York, NY 10013-2375  
 cr +Countrywide Home Loans, Inc., c/o Barrett Burke Wilson Castle Daffin,  
 1900 St. James Place, Ste. 500, Houston, TX 77056-4125  
 cr +Dyck-O'Neal, Inc., P.O. Box 13370, 3214 W. Park Row, Arlington, TX 76013-3136  
 cr +First Bank Of Conroe, PO BOX 1280, Conroe, TX 77305-1280  
 cr MBNA America (Delaware), N.A., c/o Becket and Lee, LLP, P.O. Box 3001,  
 Malvern, PA 19355-0701  
 sp +Phillips & Akers, PC, 3400 Phoenix Tower, 3200 Southwest Freeway, Houston, TX 77027-7528  
 cr +Wells Fargo Bank, N.A. Successor by Merger to Well, c/o Barrett Burke Wilson Castle Daffin,  
 1900 Saint James Place, Ste. 500, Houston, TX 77056-4125  
 acc +William G. West, P.C., CPA, 12345 Jones Rd., Suite 120, Houston, TX 77070-4958

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 cr +E-mail/Text: tingo@gecu.org May 20 2014 22:04:43 Gulf Employees Credit Union, P. O. Box 848,  
 Groves, TX 77619-0848  
 cr E-mail/Text: houston\_bankruptcy@LGBS.com May 20 2014 22:03:52 Montgomery County,  
 c/o John Dillman, PO Box 3064, Houston, TX 77253-3064

TOTAL: 2

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Amway Corporation  
 cr Chase Home Finance LLC  
 cr Regions Bank  
 cr Resurgent Capital Services LP  
 cr Wells Fargo Bank, N.A.

TOTALS: 5, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 22, 2014

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 20, 2014 at the address(es) listed below:

Brock Cordt Akers on behalf of Spec. Counsel Phillips & Akers, PC  
 brock.akers@phillipsakers.com, pam.godwin@phillipsakers.com;robert.riddle@phillipsakers.com  
 Christopher A Beck on behalf of Debtor Tony Gerard Cutaia cbeck@bakerbeck.net,  
 cbeck@bakerbeck.net;2thelawfirm@gmail.com  
 Christopher A Beck on behalf of Joint Debtor Mary Ann Cutaia cbeck@bakerbeck.net,  
 cbeck@bakerbeck.net;2thelawfirm@gmail.com  
 Dominique Marshall Varner on behalf of Creditor First Bank Of Conroe dvarner@hwallp.com  
 Felicia M Sanov on behalf of Creditor Wells Fargo Bank, N.A. fmh@lanierlawfirm.com  
 Jennine Hovell-Cox on behalf of Creditor First Bank Of Conroe hovellcoxlaw@hotmail.com,  
 hovellcox@aol.com  
 John James Sparacino on behalf of Creditor Amway Corporation jsparacino@andrewskurth.com  
 John P Dillman on behalf of Creditor Montgomery County houston\_bankruptcy@publicans.com  
 Jon William Daly on behalf of Creditor Amway Corporation jondaly@akllp.com  
 Kimberly Anne Bartley on behalf of Trustee William G West kbartley@ws-law.com, linda@ws-law.com  
 Kimberly Anne Bartley on behalf of Attorney Waldron & Schneider, LLP kbartley@ws-law.com,  
 linda@ws-law.com

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Page 2 of 2  
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Marc H Schneider on behalf of Trustee William G West lawfirm@ws-law.com,  
alicia@ws-law.com;linda@ws-law.com;tracy@ws-law.com;marcs@ws-law.com;faith@ws-law.com  
Mary A Daffin on behalf of Creditor Countrywide Home Loans, Inc. sdecf@BDFGROUP.com  
Mary A Daffin on behalf of Creditor Chase Home Finance LLC sdecf@BDFGROUP.com  
Mary A Daffin on behalf of Creditor Wells Fargo Bank, N.A. Successor by Merger to Wells Fargo  
Home Mortgage, Inc. sdecf@BDFGROUP.com  
Nancy Lynne Holley on behalf of U.S. Trustee US Trustee nancy.holley@usdoj.gov  
Robert Keith Morris, III on behalf of Creditor Countrywide Home Loans, Inc.  
kmorris@bnswwlaw.com, keith@kmorrislaw.com;cdemott@bnswwlaw.com;keith@kmorrislaw.com  
Robert Keith Morris, III on behalf of Creditor Chase Home Finance LLC kmorris@bnswwlaw.com,  
keith@kmorrislaw.com;cdemott@bnswwlaw.com;keith@kmorrislaw.com  
Sidney H Scheinberg on behalf of Creditor Regions Bank Sid.Scheinberg@GodwinLewis.com,  
sidscheinberg@sbcglobal.net;Shannon.Wu@GodwinLewis.com;Tenacia.Whiteside@GodwinLewis.com  
Timothy Alvin Davidson, II on behalf of Creditor Amway Corporation tdavidson@akllp.com  
US Trustee USTPRegion07.HU.ECF@USDOJ.GOV  
William G West westcpa@sbcglobal.net, TX16@ecfcbis.com

TOTAL: 22